

Arkansas Insurance Department

Mike Beebe
Governor



Julie Benafield Bowman
Commissioner

February 28, 2008

Via Certified Mail Return Receipt No. 7003 1010 0000 9422 5198 and U.S. Mail

Mr. Cario Perkins
5810 Mosby Road
Meridian, MS 39307

RE: Complaintant Essie M. Neal
A.I.D. File No. 2007-184

LETTER OF REPRIMAND

Dear Mr. Perkins:

On July 11, 2007, the Consumer Services Division of this Department received a complaint from Essie M. Neal regarding your representations to her concerning the Care Improvement Plus policy in which you enrolled Ms. Neal. Ms. Neal's complaint alleges that you represented the Care Improvement Plus plan as "the new Medicare plan" and that you said her doctor in El Dorado would accept the plan. However, Ms. Neal's complaint alleges that her doctor did not accept the plan and that, in fact, there were no doctors in her area that accepted the plan.

Prior to filing her complaint with this Department, Ms. Neal made a complaint to Care Improvement Plus. You failed to respond to the company's request for information and, accordingly, Care Improvement Plus suspended your appointment to market its product effective July 10, 2007.

Following receipt of Ms. Neal's complaint to this Department, Larry Cagle in our Consumer Services Division forwarded the complaint to you on July 13, 2007. In his July 13, 2007 correspondence accompanying the complaint, Mr. Cagle requested your response to the allegations in the complaint and a copy of the relevant application. No response was received from you. Ms. Neal's complaint was subsequently referred to the Legal Division for further review. In correspondence dated November 28, 2007, Taryn Lewis in the Legal Division informed you that your failure to respond to the Consumer Services Division was a violation of the Arkansas Insurance Code and requested a written response to the complaint within ten (10) days. You failed to respond to Ms. Lewis' request, although the certified mail receipt ("green card") shows that you received and signed for Ms. Lewis' November 28, 2007 correspondence.

Due to your failures to respond to this Department's inquiries regarding Ms. Neal's complaint, an investigative conference was scheduled for February 6, 2008 at 9:00 a.m. A Notice of Investigative Conference was mailed to you via certified and regular mail on January 16, 2007.

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However, you failed to appear at the investigative conference for which the Legal Division expended time and resources to prepare.

Based upon the foregoing, you are hereby served with this formal **Letter of Reprimand**. By failing to respond to written inquiries from this Department, your producer license could be placed on probation, suspended, revoked, or non-renewed. The relevant provision of the Arkansas Insurance Code provides as follows:


The Insurance Commissioner may place on probation, suspend, revoke, or refuse to renew an insurance producer's license or may levy a civil penalty in accordance with § 23-64-216 or any combination of actions for any one (1) or more of the following causes:

Failing to provide a written response after receipt of a written inquiry from the commissioner or his or her representative as to transactions under the license within thirty (30) days after receipt thereof unless the timely written response is knowingly waived in writing by the commissioner.

Ark. Code Ann. § 23-64-512(a)(13).

In view of the foregoing facts, please be advised that this **Letter of Reprimand** will be placed in your license file as a permanent record for referral should any other related complaints be received by this Department. Additionally, this **Letter of Reprimand** will be forwarded to the National Association of Insurance Commissioners ("NAIC") for publication on the NAIC website. Finally, additional administrative action will be considered based on your failure to respond to the Department's inquiries should you apply to renew your producer license at any future time. If you feel that this Letter of Reprimand is unjust or unwarranted, you may request an administrative hearing within thirty (30) days of your receipt of this correspondence.

Sincerely yours,



Amanda Capps Rose
Associate Counsel, Legal Division
Amanda.Rose@arkansas.gov

ACR/

cc: Jay Morgan, Jackie Smith, Fred Stiffler, Mary Coney, Taryn Lewis, Correspondence File